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| 10/698,800 | 10/31/2003 | Eric W. Fleischman | 7784-000656 | 2460 |

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| EXAMINER | |
|---|---|
| RAMPURIA, SHARAD K | |
| **ART UNIT** | **PAPER NUMBER** |
| 2617 | |
| **MAIL DATE** | **DELIVERY MODE** |
| 07/31/2007 | PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/698,800 | FLEISCHMAN, ERIC W. | |
| | Examiner | Art Unit | |
| | Sharad Rampuria | 2617 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *10 May 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

I. The Art Unit location of this application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

II. The current office-action is in response to the Amendment - After Non-Final Rejection filed on 05/10/2007.

Accordingly, Claims 1-23 are pending for further examination as follows:

### *Claim Rejections - 35 USC § 103*

III. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-5, 7, 9-10, 12-14, 16, 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ahn** (US 20030013466) in view of **Padmanabhan** (US 6766245).

As per claims 1, 23, **Ahn** teaches:

A method of geo-casting a message to a plurality of recipients each having an address and a known geographic location, (Abstract, ¶ 0086) comprising:

Reporting the current locations and addresses of the plurality of recipients to a geospatial database; (¶ 0089)

Transmitting the message to the addresses of each of the recipients having current locations within the geographic region; determining the addresses of the recipients that are located within the geographic region by using the geospatial database (¶ 0093).

**Ahn** doesn't teach specifically, designating a geographic region to transmit the message by reference to a physical structure within the geographic region; to compare the current reported locations of the recipients with the reference to the structure. However, **Padmanabhan** teaches in an analogous art, that designating a geographic region to transmit the message by reference to a physical structure within the geographic region; (e.g. reference to landmark; Col.17; 66-Col.18; 27), to compare the current reported locations of the recipients with the reference to the structure; (Col.20; 5-39). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify **Ahn** including designating a geographic region to transmit the message by reference to a physical structure within the geographic region; to compare the current reported locations of the recipients with the reference to the structure in order to identifying the

location of a user based on landmarks or other visual cues visible to the user from their current position.

As per claim 2, Ahn teaches:

The method according to claim 1, wherein the identifying the recipients further comprises accessing a geospatial database and comparing the locations of the recipients and the designated geographic region. (¶ 0086)

As per claim 3, Ahn teaches:

The method according to claim 1, further comprising specifying a delivery method; and transmitting the message according to the specified delivery method. (¶ 0086)

As per claim 4, Ahn teaches:

The method according to claim 1, wherein at least one of the recipients is mobile relative to the geographic region. (¶ 0098)

As per claim 5, Ahn teaches:

The method according to claim 1, wherein the identifying the recipients further comprises operating a computer at an OSI application level. (¶ 0098)

As per claim 7, Ahn teaches:

The method according to claim 6, wherein the transmitting the message further comprises requesting a reply, whereby recipients which do not receive the message may be identified. (¶ 0093)

As per claim 12, Ahn teaches:

A telecommunication system comprising: a network; a transmitter connected to the network; (Abstract, ¶ 0086) comprising:

A memory containing a geospatial database and in communication with the transmitter; (¶ 0089)

A plurality of receivers including at least one mobile receiver, each of the plurality of receivers including a current address and a location in a geographic area and reporting the address and the location to the geospatial database on a selected frequency; (¶ 0093).

The transmitter enabling reception of a message and a geographic destination designator designating a geographic destination for the message, And further enabling accessing the geospatial database to identify the addresses of the receivers in the geographic destination and targeting the message to the identified receivers at their reported address for each said identified receiver. (¶ 0093).

**Ahn** doesn't teach specifically, the geographic destination comprising a geographic region defined by reference to one or more physical structures within the geographic region. However, **Padmanabhan** teaches in an analogous art, that the geographic destination comprising a geographic region defined by reference to one or more physical structures within the geographic region; (e.g. reference to landmark; Col.17; 66-Col.18; 27).

As per claim 13, Ahn teaches:

The telecommunication system according to claim 12, further comprising the transmitter receiving a delivery method designator associated with the message and transmitting the message according to the designated delivery method. (¶ 0098)

As per claim 14, Ahn teaches:

The telecommunication system according to claim 12, further comprising the transmitter operating at an OSI application layer. (¶ 0098)

As per claim 16, Ahn teaches:

The telecommunication system according to claim 12, further comprising the message including a reply request, and wherein any one of the receivers that does not respond to the reply request may be identified. (¶ 0093)

As per claim 21, Ahn teaches:

The telecommunication system according to claim 12, further comprising an intelligent agent operating within the network to access the geospatial database to identify the addresses of the receivers in the geographic destination. (¶ 0086)

Claims 6 & 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ahn** & **Padmanabhan** further in view of Weisshaar et al. [US 6580916].

As per claims 6, 15, the above combination teaches all the particulars of the claim except the transmitting the message further comprises serially unicasting the message. However, Weisshaar teaches in an analogous art, that the method according to claims 1, 12, respectively wherein the transmitting the message further comprises serially unicasting the message. (Col.10; 66-Col.11; 9) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the above combination including the transmitting the message further comprises serially unicasting the message in order to provide a methods and apparatus for providing services to wireless equipment in a wireless communications system.

Claims 8 & 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahn & **Padmanabhan** further in view of Ogasawara et al. [US 6947754].

As per claims 8, 17, the above combination teaches all the particulars of the claim except the address of at least one of the recipients being a wide area network address and changing the wide area network address of the recipient to dynamically obtaining a new wide area network address due to movement of the recipient. However, Ogasawara teaches in an analogous art, that the method according to claims 1, 12, respectively further comprising the address of at least one of the recipients being a wide area network address and changing the wide area network address of the recipient to dynamically obtaining a new wide area network address due to movement of the recipient. (Col.8; 64-Col.9; 23) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the above combination including the address of

at least one of the recipients being a wide area network address and changing the wide area network address of the recipient to dynamically obtaining a new wide area network address due to movement of the recipient in order to provide a method for registering a location of a mobile communications terminal served by a mobile communications network. The method comprises: broadcasting, from each of one or multiple specific base stations a radio-zone information notification signal indicating each of the base station's own radio zone.

Claims 9-10, 18-19, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahn & **Padmanabhan** further in view of Jambhekar et al. [US 6973318].

As per claims 9, 18, the above combination teaches all the particulars of the claim except determining whether an event has occurred and, if the event has occurred, then transmitting the message being made in response to the event. However, Jambhekar teaches in an analogous art, that the method according to claims 1, 12, further comprising determining whether an event has occurred and, if the event has occurred, then transmitting the message being made in response to the event. (e.g. approaching to the border; Col.7; 19-44). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the above combination including determining whether an event has occurred and, if the event has occurred, then transmitting the message being made in response to the event in order to provide a method for communication units to receive and/or exchange journey-related information, when approaching a geographic zone that does not support such services.

As per claims 10, 19, the above combination teaches all the particulars of the claim except a reported location being across a border, the message being a border crossing warning, the geographic destination designator designating within a predetermined distance from the border. However, Jambhekar teaches in an analogous art, that the method according to claims 9, 18, wherein the event further comprises a reported location being across a border, the message being a border crossing warning, the geographic destination designator designating within a predetermined distance from the border. (e.g. approaching to the border; Col.7; 19-44)

Claims 11 & 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahn & **Padmanabhan** further in view of Richard [US 6785551].

As per claims 11, 20, the above combination teaches all the particulars of the claim except wherein the message further comprises commercial information. However, Richard teaches in an analogous art, that the method according to claims 1, 12, respectively wherein the message further comprises commercial information. (Abstract, Col.2; 23-35) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the above combination including wherein the message further comprises commercial information in order to providing services to individuals in a mobile environment. More particularly, it relates to an efficient process for dynamically providing geographically relevant information to individuals in a mobile environment.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ahn in view of **Padmanabhan** and further in view of Weisshaar.

As per claim 22, Ahn teaches:

A telecommunication system comprising: a network; a transmitter connected to the network; (Abstract, ¶ 0086) comprising:

A memory containing a geospatial database and in communication with the transmitter; (¶ 0089)

A plurality of receivers including at least one mobile receiver, each of the plurality of receivers including an address and a location and reporting the address and the location to the geospatial database, at least one of the addresses being a wide area network address which changes; (¶ 0098, 0093) and,

The transmitter operating at an OSI application level to receive a message (¶ 0098) and, to access the geospatial database to identify the addresses of the receivers in the geographic destination, to target the message to the identified receivers at their reported address, (¶ 0093) and

**Ahn** doesn't teach specifically, a geographic destination designator designating a geographic destination for the message, the message by reference to a physical structure within the geographic region. However, **Padmanabhan** teaches in an analogous art, that a geographic destination designator designating a geographic destination for the message, the message by reference to a physical structure within the geographic region; (e.g. reference to landmark; Col.17; 66-Col.18; 27).

Ahn & **Padmanabhan** doesnot teach expressly, to transmit the message as a series of unicast messages to the identified receivers. However, Weisshaar teaches in an analogous art, to transmit the message as a series of unicast messages to the identified receivers. (Col.10; 66-Col.11; 9).

***Response to Amendments & Arguments***

IV. Applicant's arguments with respect to claims 1-23 has been fully considered but is moot in view of the new ground(s) of rejection.

***Conclusion***

V. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870. The examiner can normally be reached on M-F. (8:30-5 EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000 or *EBC@uspto.gov*.

/Sharad Rampuria/
Patent Examiner
Art Unit 2617

GEORGE ENG
SUPERVISORY PATENT EXAMINER